

1983 FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

CLERK, U.S. DISTRICT COURT  
DISTRICT OF NEW JERSEY  
RECEIVED

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

2015 JUL 13 PM 2 49

Todd Stathom

COMPLAINT

(Enter above the full name of the plaintiff in this action)

v.

Civil Action No.

(To be supplied by the Clerk of the Court)

15-5502 (MAS/TJB)

Monmouth County Correctional  
Institute (et al) Barry  
Nadrowski (warden)  
LT. Villacoba

(Enter above the full name of the defendant or defendants  
in this action)

**INSTRUCTIONS: READ CAREFULLY**

1. This complaint must be legibly handwritten or typewritten, signed by the plaintiff and subscribed to under penalty of perjury as being true and correct. All questions must be answered concisely in the proper space on the form. Where more space is needed to answer any question, attach a separate sheet.
2. In accordance with Rule 8 of the Federal Rules of Civil Procedure, the complaint should contain (1) a short and plain statement of the grounds upon which the court's jurisdiction depends, (2) a short plain statement of the claim showing that you are entitled to relief, and (3) a demand for judgment for the relief which you seek.
3. You must provide the full name of each defendant or defendants and where they can be found.
4. You must send the original and one copy of the complaint to the Clerk of the District Court. You must also send one additional copy of the complaint for each defendant to the Clerk. Do not send the complaint directly to the defendants.
5. Upon receipt of a fee of \$400.00, (a filing fee of \$350.00, and an administrative fee of \$50.00), your complaint will be filed.

Rev. 2013

You will be responsible for service of a separate summons and copy of the complaint on each defendant. See Rule 4, Federal Rule of Civil Procedure.

6. If you cannot prepay the \$400.00 filing fee, you may request permission to proceed in forma pauperis in accordance with the procedures set forth below. (SEE ATTACHED I.F.P. FORM AT END OF THIS FORM!!!), (IF THERE IS MORE THAN ONE PLAINTIFF, EACH PLAINTIFF MUST SEPARATELY REQUEST PERMISSION TO PROCEED IN FORMA PAUPERIS.)
7. If your application to proceed in forma pauperis does not conform to these instructions, you will be notified by letter of the nature of the deficiencies. If these deficiencies are not cured within 120 days of the date of the letter, the complaint will be deemed withdrawn, the Clerk's file will be closed, and no fees will be assessed against you.

**QUESTIONS TO BE ANSWERED**

1. Jurisdiction is asserted pursuant to (CHECK ONE)

☐ 42 U.S.C. § 1983 (applies to state prisoners)

☐ Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971) and 28 U.S.C. § 1331 (applies to federal prisoners)

If you want to assert jurisdiction under different or additional statutes, list these below:

\_\_\_\_\_

- 1(b). Indicate whether you are a prisoner or other confined person as follows:

- ☒ Pretrial detainee  
☐ Civilly-committed detainee  
☐ Immigration detainee  
☐ Convicted and sentenced state prisoner  
☐ Convicted and sentenced federal prisoner  
☐ Other: (please

explain) \_\_\_\_\_

2. Previously Dismissed Federal Civil Actions or Appeals

If you are proceeding in forma pauperis, list each civil action or appeal you have brought in a federal court while you were incarcerated or detained in any facility, that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted. Please note that a prisoner who has on three or more occasions, while detained in any facility, brought an action or appeal in a federal court that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted, will be denied in forma pauperis status unless that prisoner is under imminent danger of serious physical injury. See 28 U.S.C. § 1915(g).

a. Parties to previous lawsuit:

Plaintiff(s): \_\_\_\_\_

Defendant(s): \_\_\_\_\_

b. Court and docket number: \_\_\_\_\_

c. Grounds for dismissal: ( ) frivolous ( ) malicious ( ) failure to state a claim upon which relief may be granted

d. Approximate date of filing lawsuit: \_\_\_\_\_

e. Approximate date of disposition: \_\_\_\_\_

If there is more than one civil action or appeal, describe the additional civil actions or using this same format on separate sheets.

Place of Present Confinement? Monmouth County Correctional Institution

4. Parties

(In item (a) below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

a. Name of plaintiff:

Todd Statham Sr.

Address: 1 Waterworks Rd.

Freehold, N.J. 07728

Inmate #: 19919

b. First defendant – name:

Barry Nadrowski

Official position: Warden

Place of employment: Monmouth County Correctional Inst.

How is this person involved in the case? (i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

Denied any form of relief from muslim inmates Complaints that facility offers Jewish individuals Kosher meals and only offers veg non Halal food or vegetarian trays for muslims even though Kosher/Halal food is basically the same and Jewish inmates can be vegetarians but are not forced to.

c. Second defendant – name:

LT. Villacoba

Official position: Programs Captain

Place of employment: Monmouth County Correctional facility

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

Denied all meal request from muslims requesting Kosher meal and denied access to any relief during the month of Ramadan causing a sufficient burden on my fasting

d. If there are more than two defendants, attach a separate sheet. For each defendant specify: (1) name, (2) official position, (3) place of employment, and (4) involvement of the defendant.

5. I previously have sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in the Statement of Claims on page?

☒ Yes ☐ No

If your answer is "Yes," briefly describe the steps taken, including how relief was sought, from whom you sought relief, and the results.

I have filed numerous grievance's over the course of one year and I have met with and been approved by the jail Chaplain for Halal or Kosher meals yet they are not being given to me.

If your answer is "No," briefly explain why administrative remedies were not exhausted.

6. Statement of Claims:

(State here as briefly as possible the facts of your case. Describe how each defendant violated your rights, giving dates and places. If you do not specify how each defendant violated your rights and the date(s) and place of the violations, your complaint may be dismissed. Include also the names of other persons who are involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, \* number and set forth each claim in a separate paragraph. Use as much space as you need. Attach a separate sheet if necessary.)



On 5/16/15 and several times previous to that over the past twelve (12) months I have been meeting with the chaplain and Islamic Imam over issues about my religious belief and my dietary law. As a muslim I should be receiving Halal or Kosher meals yet I am not being given them. I have been approved by the chaplain for Halal or Kosher meals yet the administration says that all though they offer Kosher meals, Muslim inmates must eat "whatever is served or become vegetarians." Jewish inmates are allowed to be served Kosher meals in compliance with their dietary laws. I am also being threatened with being put on constant watch or in isolation if I "keep this up." For the holy month of Ramadan I was served peanut butter for breakfast which the facility is aware I am allergic to, and when I complained was told "then don't eat." All this and more in violation of my first amendment right and rights

#### 7. Relief Sought:

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

Provide muslim inmates either with Halal meals or Kosher meals. Mandate that all faiths be given equal treatment under provisions of the law. would request \$100,000 in punitive damages, and \$1,000 for each meal denied. \$50,000 for pain and suffering

8. Do you request a jury or non-jury trial? (check only one)

( ☒ ) Jury Trial

( ☐ ) Non-Jury Trial

I DECLARE UNDER PENALTY OF PERJURY THAT THE FORWEGOING IS  
TRUE AND CORRECT.

SIGNED THIS DAY 2nd DAY OF July, 2015

  
\*\*\*\*\*SIGNATURE OF PLAINTIFF\*\*\*\*\*